

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America,
Plaintiff,

vs.

Chaloner Saintillus,
Defendant.

Sacramento, California
No. 2:20-cr-00213
Mon., Feb. 28, 2022
9:14 a.m.

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TRANSCRIPT OF HEARING
BEFORE THE HONORABLE KIMBERLY J. MUELLER, CHIEF JUDGE
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APPEARANCES:

For the Plaintiff:

United States Attorney
501 I Street, Suite 10-100
Sacramento, California 95814
By: Paul Hemesath
Assistant U.S. Attorney

For the Defendant:

Chaloner Saintillus
X-5351960
RIO COSUMNES CORRECTIONAL
CENTER (12500)
12500 Bruceville Road
Elk Grove, CA 95757
PRO SE

Official Court Reporter:

Kimberly M. Bennett,
CSR, RPR, RMR, CRR
501 I Street
Sacramento, CA 95814

Proceedings recorded by mechanical stenography, transcript
produced by computer-aided transcription

1 (Court called to order, 9:14 a.m.)

2 THE CLERK: Calling criminal case 20-213; United
3 States versus Chaloner Saintillus. This is on for a status
4 conference.

5 MR. HEMESATH: Good morning, Your Honor. Paul
6 Hemesath on behalf of the United States. I'm standing in for
7 Sam Stefanki.

8 THE COURT: Good morning, Mr. Hemesath.

9 THE DEFENDANT: I have some evidence --

10 THE COURT: Could you first state your appearance,
11 please.

12 THE DEFENDANT: I am the entitlement holder of the
13 trust.

14 THE COURT: And what is your name for the record?

15 THE DEFENDANT: My name is spelled capital S, lower
16 case H-A-L-A-M, capital C, dot, capital S, lower case
17 A-I-N-T-I-L-L-U-S, capital B, lower case E-Y, and I am the
18 general executor entitlement holder of the trust. I waive no
19 rights under UCC 1-308. And I reserve the power of revocation
20 and modification of the trust at any time I see fit.

21 THE COURT: All right. I'm construing your
22 statements as --

23 THE DEFENDANT: I --

24 THE COURT: Wait now to be called upon, sir, as every
25 person in this room is required to. I'm recognizing you as the

1 person identified on the Court's docket as --

2 THE DEFENDANT: I have --

3 THE COURT: -- Chaloner Saintillus.

4 You must remain quiet until called upon. That is true for
5 the government's attorney as well.

6 This is on for a status --

7 THE DEFENDANT: I am here --

8 THE COURT: Sir, you must remain quiet. I previously
9 have advised you that if you engage in disrupting court
10 proceedings --

11 THE DEFENDANT: Are you going to take my evidence --

12 THE COURT: -- I may reconsider your representation
13 of yourself.

14 At this point this matter is on for a status conference. I
15 want to ask each party what they believe is pending before the
16 Court. I see a motion to dismiss that was filed on
17 January 21st. The government has filed an opposition to that.
18 I believe that matter --

19 THE DEFENDANT: My opposition --

20 THE COURT: -- can now be considered --

21 THE DEFENDANT: -- is in my hand.

22 THE COURT: -- can now be considered submitted before
23 me.

24 There is another motion to dismiss at February 17, 2022.

25 And so my question is, do I order briefing on that second

1 motion to dismiss. While the motions are filed and pending,
2 time is being excluded under the Speedy Trial Act based on
3 Local Code E and the corresponding federal statute.

4 Mr. Hemesath, do you have --

5 THE DEFENDANT: Who is Mr. Hemesath?

6 THE COURT: Mr. Hemesath is the government's
7 attorney, who he previously introduced himself.

8 THE DEFENDANT: Could you show me your bar card and
9 number.

10 THE COURT: Sir --

11 THE DEFENDANT: Are you supposed to be here?

12 THE COURT: Sir --

13 THE DEFENDANT: Do you have the professional
14 capacity?

15 THE COURT: Deputies, can you please remove
16 Mr. Saintillus to the holding cell.

17 Sir, you may not disrupt court proceedings. If you're
18 going to disrupt court proceedings, I'm going to revisit
19 whether or not you can represent yourself. So we're going to
20 take a break for you to think about whether or not you're
21 willing to come back into this courtroom --

22 THE DEFENDANT: I'm ready now.

23 THE COURT: -- and wait to be called upon.

24 Deputies, please remove Mr. Saintillus. We're going to
25 call the next matter.

1 (Pause in proceedings.)

2 (Court called to order, 10:01 a.m.)

3 THE CLERK: Recalling criminal case 20-213; United
4 States versus Mr. Saintillus. This is on for a status
5 conference.

6 THE DEFENDANT: I have some evidence to hand to you.

7 THE COURT: All right. Wait to be called upon.

8 Mr. Hemesath, what is your position on the motions before
9 the Court?

10 MR. HEMESATH: Yes, Your Honor. My understanding is
11 that there are docket numbers 84, 86, 87, 88, 89 that have been
12 filed --

13 THE DEFENDANT: I'm general executor of the trust --

14 THE COURT: Wait. Do not interrupt counsel,
15 Mr. Saintillus. You must wait to be called upon.

16 Mr. Hemesath.

17 THE DEFENDANT: I'm not Mr. Saintillus.

18 MR. HEMESATH: And therein there is a motion to
19 dismiss, so at the very least the government would suggest that
20 a briefing schedule be set with regard to that new motion to
21 dismiss.

22 THE COURT: All right. I'll set that schedule. Do
23 you have a proposed date for an opposition, if any?

24 MR. HEMESATH: Three weeks from today I think is
25 reasonable.

1 THE COURT: All right. So any opposition to the
2 motion to dismiss filed at docket 84 is due within 3 weeks.
3 And that date, Ms. Schultz?

4 THE DEFENDANT: I -- a complaint --

5 THE CLERK: March 21, 2022.

6 THE COURT: What's that date again?

7 THE CLERK: March 21, 2022.

8 THE DEFENDANT: I'm the entitlement holder of the
9 trust --

10 THE COURT: Any opposition to 84 is due March 21st.
11 Any reply --

12 THE DEFENDANT: I don't agree to it.

13 THE COURT: -- mailed by March 28th. Those dates
14 will be in a minute order.

15 Mr. Saintillus, I acknowledge the motion for dismissal
16 filed January 21st. The government has filed an opposition.
17 Did you say you have a reply to that here today?

18 THE DEFENDANT: Yes.

19 THE COURT: All right. The marshals may retrieve
20 that from you and provide it to Ms. Schultz. You wish that to
21 be filed on the docket?

22 THE DEFENDANT: I --

23 THE COURT: Mr. Saintillus, you wish that --

24 THE DEFENDANT: I'm not Mr. Saintillus.

25 THE COURT: I'm asking you a question. Do you wish

1 that set of papers to be filed on the docket --

2 THE DEFENDANT: Yes.

3 THE COURT: -- as a reply --

4 THE DEFENDANT: Yes.

5 THE COURT: -- to the opposition to the motion to
6 dismiss filed January 21st?

7 THE DEFENDANT: Yes, Your Honor.

8 THE COURT: All right.

9 THE DEFENDANT: And I'm not Mr. Saintillus.

10 THE COURT: Well, that is the way you are
11 identified on the --

12 THE DEFENDANT: I'm here by special appearance --

13 THE COURT: -- before the Court --

14 THE DEFENDANT: -- as agent on behalf of
15 Mr. Saintillus, the estate.

16 THE COURT: On the motion to dismiss filed
17 February 17th, I've just indicated that the government will
18 have until March 21st --

19 THE DEFENDANT: By the way, those are bonded papers
20 and those are proof of my title to my person --

21 THE COURT: Mr. Saintillus --

22 THE DEFENDANT: -- and my estate.

23 THE COURT: Mr. Saintillus, the government may file
24 an opposition to the other motion to dismiss by March 21st.
25 And then is 7 days sufficient --

1 THE DEFENDANT: It has to be supported by equitable
2 law and not administrative law. Any facts and conclusions have
3 to be supported by equitable law and not administrative law, as
4 administrative law may not be applied to one having attained
5 majority without their consent, and I give no consent to the
6 Court. I reserve all rights inalienable, indigenous,
7 private --

8 THE COURT: All right, Mr. Saintillus, I'm going to
9 conclude this hearing --

10 THE DEFENDANT: -- by UCC --

11 THE COURT: I will issue an order confirming the date
12 for any reply on the other motion to dismiss, and I'm actually
13 going to extend that --

14 THE DEFENDANT: Are you going to go over my evidence?

15 THE COURT: -- to April 4th to ensure that you have
16 sufficient time, and then that matter will be submitted.

17 Is there any other motion, Mr. Hemesath, you believe is
18 pending before the Court?

19 I see the other notices, and I will engage in some docket
20 management here, but any other motion that the government is
21 seeking to file a formal response to?

22 MR. HEMESATH: No. Other than those encompassed --
23 whatever is encompassed between 84 and 89.

24 THE DEFENDANT: I am the entitlement holder and not
25 the trustee surety.

1 THE COURT: I'm going to engage in some docket
2 management to clarify whether or not that is considered part of
3 the motion to dismiss.

4 All right. We'll set this for another status for 30 days
5 from April 4th. That's the period of time that the Court
6 presumptively has to solve pending motions --

7 THE DEFENDANT: That's too long.

8 THE COURT: -- and so May 9th will be --

9 THE DEFENDANT: That's too long.

10 THE COURT: -- our next status. And time between now
11 and then is excluded based on Local Code E and the
12 corresponding federal statute. Given the motions that are
13 filed that automatically kicks in, and --

14 THE DEFENDANT: And I need --

15 THE COURT: -- Court does not have a criminal
16 calendar on May 2nd.

17 THE DEFENDANT: I need in camera meeting with you.

18 THE COURT: Any request such as an in camera meeting
19 you can --

20 THE DEFENDANT: I did --

21 THE COURT: You can put in writing with --

22 THE DEFENDANT: -- no response.

23 THE COURT: -- a formal request.

24 All right. This matter is concluded.

25 (Proceedings adjourned, 10:07 a.m.)

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I certify that the foregoing is a correct transcript from the
record of proceedings in the above-entitled matter.

/s/ Kimberly M. Bennett
KIMBERLY M. BENNETT
CSR No. 8953, RPR, CRR, RMR